

**REMARKS**

Claims 10-12 are pending in the present application. By this Amendment, new claim 13 has been added. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated December 15, 2005.

**As to the Merits:**

As to the merits of this case, the Examiner maintains the following rejection:

claims 10-12 stand rejected under 35 USC 102(e) as being anticipated Tsujino et al. (U.S. Patent No. 6,903,776).

This rejection is respectfully traversed.

According to the present invention, until a recording instruction is issued, periodically created is a first still image corresponding to an object scene which is incapable of being displayed in real time. When the recording instruction is issued, a second still image corresponding to the object scene is created so as to record into a recording medium in a compressed manner.

More specifically, a calculator calculates a specific compression ratio coefficient in which the first still image can be compressed up to a specific size. The second still image is compressed by a compressor by use of the specific compression ratio coefficient. The specific compression

ratio coefficient is corrected by a corrector when a compressed second still image created by the compressor does not satisfy a size condition including the specific size. A recorder records the compressed second still image satisfying the size condition into the recording medium. Herein, the first still image and the second still image have the same resolution with each other.

Matching the resolution between the first still image and the second still image makes it possible to increase reliability of the specific compression ratio coefficient in terms of satisfying the size condition. Therefore, it is possible to shorten a time period necessary for recording the second still image. Furthermore, securing an opportunity to correct the specific compression ratio coefficient allows expanding a tolerance for deviance between the second still image and the first still image used for a calculating process of the calculator. Therefore, it is possible to lengthen a cycle of creating the first still image, and therefore, power consumption can be reduced.

Lengthening the creating cycle makes it possible to increase the resolution of the first still image i.e. the second still image. That is, it is possible to record a still image having a high resolution into the recording medium.

However, there is a problem caused by lengthening a cycle of creating the first still image. In case of creating the first still image at a rate of one frame per second and displaying the created first still image on a monitor in real-time, for example, the displayed first still image is only updated every one second. This results in interference with a correct framing operation. That

is, a real-time display process which should support the framing operation disturbs the framing operation because of lengthening of the creating cycle.

This is the reason why in the present invention, the first still image is incapable of being displayed in real time.

Furthermore, as a result of precluding real-time display of the first still image, an OVF (Optical View Finder) system is needed in place of an EVF (Electronic View Finder) system. However, an optical framing using the OVF system is more difficult than an electronic framing using the EVF system in terms of a parallax, and therefore, an operator tends to lengthen a time period spent for determining a frame.

The present invention is also considering such an operating characteristic by the operator. An imaging device continues to capture approximately the same object scene because of lengthening of a framing operation. Therefore, even if a cycle of creating the first still image is long, the second still image is approximately the same as the last created first still image. Therefore, it is possible to rapidly create a compressed second still image satisfying the size condition, and therefore, shortened is a time period from issuing a recording instruction to completing a recording process.

That is, precluding real-time display of the first still image elicits an advantage of quickly recording a high-resolution still image which is compressed such that the size condition is

satisfied. In contrast, Tsujino et al. disclose to carry out a plurality of exposing processes respectively using a plurality of exposure amounts which are different from each other so as to record a plurality of object scene images created thereby to a recording medium in a compressed state.

However, Tsujino et al. fail to disclose or remotely suggest anything about a constitution of the present invention which calculates the specific compression ratio coefficient based on the first still images periodically created until a recording instruction is issued, compresses the second still image created at a time of issuing the recording instruction using the specific compression ratio coefficient, corrects the specific compression ratio coefficient when the compressed second still image does not satisfy the size condition, and records to the recording medium the compressed second still image satisfying the size condition.

Accordingly, it is respectfully submitted that it is not possible to reach the present invention from Tsujino et al., and therefore, the present invention is patentable .

In addition, it is submitted that a teaching of Tsujino et al. that the Examiner reads on the corrector of the present invention is corresponding to the calculator of the present invention.

Further, it is respectfully submitted that Tsujino fails to disclose or fairly suggest the feature of new claim 13 concerning a digital camera *further comprising a shutter button to issue the recording instruction.*

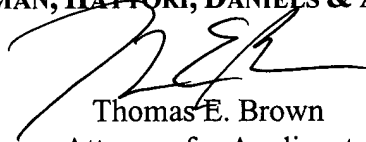
In view of the aforementioned remarks, Applicant submits that that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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